

105TH CONGRESS
1ST SESSION

H. R. 374

To amend the Act popularly known as the “Sikes Act” to enhance fish and wildlife conservation and natural resources management programs.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1997

Mr. YOUNG of Alaska (for himself and Mr. SAXTON) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Act popularly known as the “Sikes Act” to enhance fish and wildlife conservation and natural resources management programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sikes Act Improvement
5 Amendments of 1997”.

6 **SEC. 2. AMENDMENT OF SIKES ACT.**

7 Except as otherwise expressly provided, whenever in
8 this Act an amendment or repeal is expressed in terms

1 of an amendment to, or repeal of, a section or other provi-
 2 sion, the reference shall be considered to be made to a
 3 section or other provision of the Act entitled “An Act to
 4 promote effectual planning, development, maintenance,
 5 and coordination of wildlife, fish, and game conservation
 6 and rehabilitation in military reservations”, approved Sep-
 7 tember 15, 1960 (16 U.S.C. 670a et seq.), commonly re-
 8 ferred to, and in this Act referred to, as the “Sikes Act”.

9 **SEC. 3. INTEGRATED NATURAL RESOURCE MANAGEMENT**

10 **PLANS GENERALLY.**

11 (a) IN GENERAL.—Section 101(a) (16 U.S.C.
 12 670a(a)) is amended—

13 (1) by striking “is authorized to” and inserting
 14 “shall”;

15 (2) by striking “in each military reservation in
 16 accordance with a cooperative plan” and inserting
 17 the following: “on military installations. Under the
 18 program, the Secretary shall prepare and implement
 19 for each military installation in the United States an
 20 integrated natural resource management plan”;

21 (3) by inserting after “reservation is located”
 22 the following: “, except that the Secretary is not re-
 23 quired to prepare such a plan for a military installa-
 24 tion if the Secretary determines that preparation of

1 such a plan for the installation is not appropriate”;
2 and

3 (4) by inserting “(1)” after “(a)”, and adding
4 at the end the following new paragraph:

5 “(2) Consistent with essential military requirements
6 to enhance the national security of the United States, the
7 Secretary of Defense shall manage each military installa-
8 tion to provide—

9 “(A) for the conservation of fish and wildlife on
10 the military installation and sustained multipurpose
11 uses of those resources, including hunting, fishing,
12 and trapping; and

13 “(B) public access that is necessary or appro-
14 priate for those uses.”.

15 (b) CONFORMING AMENDMENTS.—Title I, as amend-
16 ed by subsection (a) of this section, is further amended—

17 (1) in section 101(b) (16 U.S.C. 670a(b)) in
18 the matter preceding paragraph (1) by striking “co-
19 operative plan” and inserting “integrated natural re-
20 source management plan”;

21 (2) in section 101(b)(4) (16 U.S.C. 670a(b)(4))
22 by striking “cooperative plan” each place it appears
23 and inserting “integrated natural resource manage-
24 ment plan”;

1 (3) in section 101(c) (16 U.S.C. 670a(c)) in the
2 matter preceding paragraph (1) by striking “a coop-
3 erative plan” and inserting “an integrated natural
4 resource management plan”;

5 (4) in section 101(d) (16 U.S.C. 670a(d)) in
6 the matter preceding paragraph (1) by striking “co-
7 operative plans” and inserting “integrated natural
8 resource management plans”;

9 (5) in section 101(e) (16 U.S.C. 670a(e)) by
10 striking “Cooperative plans” and inserting “Inte-
11 grated natural resource management plans”;

12 (6) in section 102 (16 U.S.C. 670b) by striking
13 “a cooperative plan” and inserting “an integrated
14 natural resource management plan”;

15 (7) in section 103 (16 U.S.C. 670c) by striking
16 “a cooperative plan” and inserting “an integrated
17 natural resource management plan”;

18 (8) in section 106(a) (16 U.S.C. 670f(a)) by
19 striking “cooperative plans” and inserting “inte-
20 grated natural resource management plans”; and

21 (9) in section 106(c) (16 U.S.C. 670f(c)) by
22 striking “cooperative plans” and inserting “inte-
23 grated natural resource management plans”.

24 (c) CONTENTS OF PLANS.—Section 101(b) (16
25 U.S.C. 670a(b)) is amended—

1 (1) in paragraph (1)—

2 (A) in subparagraph (C) by striking “and”
3 after the semicolon;

4 (B) in subparagraph (D) by striking the
5 semicolon at the end and inserting a comma;
6 and

7 (C) by adding at the end the following:

8 “(E) wetland protection and restoration,
9 and wetland creation where necessary, for sup-
10 port of fish or wildlife,

11 “(F) consideration of conservation needs
12 for all biological communities, and

13 “(G) the establishment of specific natural
14 resource management goals, objectives, and
15 time-frames for proposed actions;”;

16 (2) by striking paragraph (3);

17 (3) by redesignating paragraph (2) as para-
18 graph (3);

19 (4) by inserting after paragraph (1) the follow-
20 ing:

21 “(2) shall for the military installation for which
22 it is prepared—

23 “(A) address the needs for fish and wildlife
24 management, land management, forest manage-
25 ment, and wildlife-oriented recreation;

1 “(B) ensure the integration of, and con-
2 sistency among, the various activities conducted
3 under the plan;

4 “(C) ensure that there is no net loss in the
5 capability of installation lands to support the
6 military mission of the installation;

7 “(D) provide for sustained use by the pub-
8 lic of natural resources, to the extent that such
9 use is inconsistent with the military mission of
10 the installation or the needs of fish and wildlife
11 management;

12 “(E) provide the public access to the in-
13 stallation that is necessary or appropriate for
14 that use, to the extent that access is not incon-
15 sistent with the military mission of the installa-
16 tion; and

17 “(F) provide for professional enforcement
18 of natural resource laws and regulations;” and

19 (5) in paragraph (4)(A) by striking “collect the
20 fees therefor,” and inserting “collect, spend, admin-
21 ister, and account for fees therefor,”.

22 (d) PUBLIC COMMENT.—Section 101 (16 U.S.C.
23 670a) is amended by adding at the end the following:

24 “(f) PUBLIC COMMENT.—The Secretary of Defense
25 shall provide an opportunity for public comment on each

1 integrated natural resource management plan prepared
2 under subsection (a).”.

3 **SEC. 4. REVIEW FOR PREPARATION OF INTEGRATED NATU-**
4 **RAL RESOURCE MANAGEMENT PLANS.**

5 (a) REVIEW OF MILITARY INSTALLATIONS.—

6 (1) REVIEW.—The Secretary of each military
7 department shall, by not later than 9 months after
8 the date of the enactment of this Act—

9 (A) review each military installation in the
10 United States that is under the jurisdiction of
11 that Secretary to determine the military instal-
12 lations for which the preparation of an inte-
13 grated natural resource management plan
14 under section 101 of the Sikes Act, as amended
15 by this Act, is appropriate; and

16 (B) submit to the Secretary of Defense a
17 report on those determinations.

18 (2) REPORT TO CONGRESS.—The Secretary of
19 Defense shall, by not later than 12 months after the
20 date of the enactment of this Act, submit to the
21 Congress a report on the reviews conducted under
22 paragraph (1). The report shall include—

23 (A) a list of those military installations re-
24 viewed under paragraph (1) for which the Sec-
25 retary of Defense determines the preparation of

1 an integrated natural resource management
2 plan is not appropriate; and

3 (B) for each of the military installations
4 listed under subparagraph (A), an explanation
5 of the reasons such a plan is not appropriate.

6 (b) DEADLINE FOR INTEGRATED NATURAL RE-
7 SOURCE MANAGEMENT PLANS.—Not later than 2 years
8 after the date of the submission of the report required
9 under subsection (a)(2), the Secretary of Defense shall,
10 for each military installation for which the Secretary has
11 not determined under subsection (a)(2)(A) that prepara-
12 tion of an integrated natural resource management plan
13 is not appropriate—

14 (1) prepare and begin implementing such a plan
15 mutually agreed to by the Secretary of the Interior
16 and the head of the appropriate State agencies
17 under section 101(a) of the Sikes Act, as amended
18 by this Act; or

19 (2) in the case of a military installation for
20 which there is in effect a cooperative plan under sec-
21 tion 101(a) of the Sikes Act on the day before the
22 date of the enactment of this Act, complete negotia-
23 tions with the Secretary of the Interior and the
24 heads of the appropriate State agencies regarding
25 changes to that plan that are necessary for the plan

1 to constitute an integrated natural resource plan
2 that complies with that section, as amended by this
3 Act.

4 (c) PUBLIC COMMENT.—The Secretary of Defense
5 shall provide an opportunity for the submission of public
6 comments on—

7 (1) integrated natural resource management
8 plans proposed pursuant to subsection (b)(1); and

9 (2) changes to cooperative plans proposed pur-
10 suant to subsection (b)(2).

11 **SEC. 5. ANNUAL REVIEWS AND REPORTS.**

12 Section 101 (16 U.S.C. 670a) is further amended by
13 adding after subsection (f) (as added by section 3(d) of
14 this Act) the following:

15 “(g) REVIEWS AND REPORTS.—

16 “(1) SECRETARY OF DEFENSE.—The Secretary
17 of Defense shall, by not later than March 1 of each
18 year, review the extent to which integrated natural
19 resource management plans were prepared or in ef-
20 fect and implemented in accordance with this Act in
21 the preceding year, and submit a report on the find-
22 ings of that review to the committees. Each report
23 shall include—

24 “(A) the number of integrated natural re-
25 source management plans in effect in the year

1 covered by the report, including the date on
2 which each plan was issued in final form or
3 most recently revised;

4 “(B) the amount of moneys expended on
5 conservation activities conducted pursuant to
6 those plans in the year covered by the report,
7 including amounts expended under the Legacy
8 Resource Management Program established
9 under section 8120 of the Act of November 5,
10 1990 (Public Law 101–511; 104 Stat. 1905);
11 and

12 “(C) an assessment of the extent to which
13 the plans comply with the requirements of sub-
14 section (b) (1) and (2), including specifically
15 the extent to which the plans ensure in accord-
16 ance with subsection (b)(2)(C) that there is no
17 net loss of lands to support the military mis-
18 sions of military installations.

19 “(2) SECRETARY OF THE INTERIOR.—The Sec-
20 retary of the Interior, by not later than March 1 of
21 each year and in consultation with State agencies re-
22 sponsible for conservation or management of fish or
23 wildlife, shall submit a report to the committees on
24 the amount of moneys expended by the Department
25 of the Interior and those State agencies in the year

1 covered by the report on conservation activities con-
2 ducted pursuant to integrated natural resource man-
3 agement plans.

4 “(3) COMMITTEES DEFINED.—For purposes of
5 this subsection, the term ‘committees’ means the
6 Committees on Resources and National Security of
7 the House of Representatives and the Committees
8 on Armed Services and Environment and Public
9 Works of the Senate.”.

10 **SEC. 6. FEDERAL ENFORCEMENT OF INTEGRATED NATU-**
11 **RAL RESOURCE MANAGEMENT PLANS; EN-**
12 **FORCEMENT OF OTHER LAWS.**

13 Title I (16 U.S.C. 670a et seq.) is amended—

14 (1) by redesignating section 106 as section 110;
15 and

16 (2) by inserting after section 105 the following:

17 **“SEC. 106. FEDERAL ENFORCEMENT OF OTHER LAWS.**

18 “All Federal laws relating to the conservation of nat-
19 ural resources on Federal lands may be enforced by the
20 Secretary of Defense with respect to violations of those
21 laws which occur on military installations within the
22 United States.”.

1 **SEC. 7. NATURAL RESOURCE MANAGEMENT SERVICES.**

2 Title I (16 U.S.C. 670a et seq.) is amended by insert-
3 ing after section 106 (as added by section 6 of this Act)
4 the following:

5 **“SEC. 107. NATURAL RESOURCE MANAGEMENT SERVICES.**

6 “The Secretary of each military department shall en-
7 sure that sufficient numbers of professionally trained nat-
8 ural resource management personnel and natural resource
9 law enforcement personnel are available and assigned re-
10 sponsibility to perform tasks necessary to comply with this
11 Act, including the preparation and implementation of inte-
12 grated natural resource management plans.”.

13 **SEC. 8. DEFINITIONS.**

14 Title I (16 U.S.C. 670a et seq.) is further amended
15 by inserting after section 107 (as added by section 7 of
16 this Act) the following:

17 **“SEC. 108. DEFINITIONS.**

18 “In this title:

19 “(1) **MILITARY DEPARTMENT.**—The term ‘mili-
20 tary department’ means the Department of the
21 Army, the Department of the Navy, and the Depart-
22 ment of the Air Force.

23 “(2) **MILITARY INSTALLATION.**—The term
24 ‘military installation’—

25 “(A) means any land or interest in land
26 owned by the United States and administered

1 by the Secretary of Defense or the head of a
2 military department; and

3 “(B) includes all public lands withdrawn
4 from all forms of appropriation under public
5 land laws and reserved for use by the Secretary
6 of Defense or the head of a military depart-
7 ment.

8 “(3) STATE FISH AND WILDLIFE AGENCY.—The
9 term ‘State fish and wildlife agency’ means an agen-
10 cy of State government that is responsible under
11 State law for managing fish or wildlife resources.

12 “(4) UNITED STATES.—The term ‘United
13 States’ means the States, the District of Columbia,
14 and the territories and possessions of the United
15 States.”.

16 **SEC. 9. SHORT TITLE.**

17 Title I (16 U.S.C. 670a et seq.) is further amended
18 by inserting after section 108 (as added by section 7 of
19 this Act) the following:

20 **“SEC. 109. SHORT TITLE.**

21 “This title may be cited as the ‘Sikes Act’.”

22 **SEC. 10. COOPERATIVE AGREEMENTS.**

23 (a) COST SHARING.—Section 103a(b) (16 U.S.C.
24 670c–1(b)) is amended by striking “matching basis” each
25 place it appears and inserting “cost-sharing basis”.

1 (b) ACCOUNTING.—Section 103a(c) (16 U.S.C.
2 670c–1(c)) is amended by inserting before the period at
3 the end following: “, and shall not be subject to section
4 1535 of that title”.

5 **SEC. 11. REPEAL.**

6 Section 2 of the Act of October 27, 1986 (Public Law
7 99–651; 16 U.S.C. 670a–1) is repealed.

8 **SEC. 12. CLERICAL AMENDMENTS.**

9 Title I, as amended by this Act, is further amended—

10 (1) in the heading for the title by striking
11 “MILITARY RESERVATIONS” and inserting
12 “MILITARY INSTALLATIONS”;

13 (2) in section 101(a) (16 U.S.C. 670a(a)) by
14 striking “the reservation” and inserting “the instal-
15 lation”;

16 (3) in section 101(b)(4) (16 U.S.C.
17 670a(b)(4))—

18 (A) in subparagraph (A) by striking “the
19 reservation” and inserting “the installation”;
20 and

21 (B) in subparagraph (B) by striking “the
22 military reservation” and inserting “the mili-
23 tary installation”;

24 (4) in section 101(c) (16 U.S.C. 670a(c))—

1 (A) in paragraph (1) by striking “a mili-
2 tary reservation” and inserting “a military in-
3 stallation”; and

4 (B) in paragraph (2) by striking “the res-
5 ervation” and inserting “the installation”;

6 (5) in section 102 (16 U.S.C. 670b) by striking
7 “military reservations” and inserting “military in-
8 stallations”; and

9 (6) in section 103 (16 U.S.C. 670c) by striking
10 “military reservations” and inserting “military in-
11 stallations”.

12 **SEC. 13. AUTHORIZATIONS OF APPROPRIATIONS.**

13 (a) PROGRAMS ON MILITARY INSTALLATIONS.—Sub-
14 sections (b) and (c) of section 110 (as redesignated by
15 section 6 of this Act) are each amended by striking
16 “1983” and all that follows through “1993,” and inserting
17 “1995, 1996, 1997, 1998, 1999, and 2000,”.

18 (b) PROGRAMS ON PUBLIC LANDS.—Section 209 (16
19 U.S.C. 670o) is amended—

20 (1) in subsection (a), by striking “the sum of
21 \$10,000,000” and all that follows through “to en-
22 able the Secretary of the Interior” and inserting
23 “\$4,000,000 for each of fiscal years 1995, 1996,
24 1997, 1998, 1999, and 2000, to enable the Sec-
25 retary of the Interior”; and

1 (2) in subsection (b), by striking “the sum of
2 \$12,000,000” and all that follows through “to en-
3 able the Secretary of Agriculture” and inserting
4 “\$5,000,000 for each of fiscal years 1995, 1996,
5 1997, 1998, 1999, and 2000, to enable the Sec-
6 retary of Agriculture”.

○